

**REMARKS**

Claims 1-3 and 6-20 are pending in the application. Claims 4, 5 and 21-26 are cancelled. Claims 12-14, 19 and 20 stand rejected. Claims 1-3, 6-11 and 15-18 are found allowable.

By this Response, claims 12, 19 and 20 are amended. Support for the amendments to claim 12 are found in the Specification at page 6, lines 7-10; page 18, lines 12-13 and page 25, lines 4-6; Support for the amendments to claims 19 and 20 are found in the Specification at page 18, lines 23-29, page 19, lines 7-8, page 20, lines 16-18 and Table 1, page 24, line 16. No new matter is added by these amendments.

Reconsideration of the application is respectfully requested in view of the above amendments and the following remarks. For the Examiner's convenience, the issues are discussed in the order in which they were raised in the Office Action.

**A. Allowability of claims 1-3, 6-11 and 15-18**

Applicants express their appreciation for the Examiner's determination that claims 1-3, 6-11 and 15-18 are allowable.

Applicants note that the rejection of independent claim 1 over Elson was deemed to have been overcome by the recitation of the limitation: "wherein the inducing agent is the target antigen."

**B. Rejection of claims 12-14, 19 and 20 under 35 U.S.C. § 103(a)**

Claims 12-14, 19 and 20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over JP3109328 in view of Elson for reasons of record.

(i) Claims 12-14 stand rejected because the Examiner finds the claim does not require that the "allergen also be in the composition."

In response, Applicants amend claim 12 to specify administration of "a composition comprising an effective combination of an inducing agent and an effective amount of a mucosal

binding component selected from the group consisting of a cholera toxin B peptide (CTB) or an *E. coli* heat-labile enterotoxin B subunit (LTB) peptide in an unconjugated form, wherein the inducing agent is the allergen or the mucosal antigen." (emphasis amended language) Support for the claim is found *inter alia* at page 6, lines 7-10; page 18, lines 12-13 and page 25, lines 4-6. No new matter is added.

Applicants submit that the added limitation of "wherein the inducing agent is the allergen or the mucosal antigen" to independent claim 12, is patentable over Elson for the same reason claim 1 was deemed patentable. Claims 13 and 14 depend from claim 12. Therefore, applicants respectfully request withdrawal of the rejection of claims 12-14 under 35 U.S.C. §103(a).

(ii) Claims 19 and 20 stand rejected because the Examiner finds the claim does not identify the "inducing antigen" and does not require that the "donor cells be in the composition."

In response, Applicants amend claim 19 to specify administration of "a composition comprising an effective combination of an inducing antigen and a mucosal binding component selected from the group consisting of a cholera toxin B peptide (CTB) or an *E. coli* heat-labile enterotoxin B subunit (LTB) peptide in an unconjugated form, wherein the inducing agent is the cells of the donor." (emphasis amended language). Applicants amend claim 20 to specify administration of "a composition comprising an effective combination of an inducing antigen and a mucosal binding component selected from the group consisting of a cholera toxin B peptide (CTB) or an *E. coli* heat-labile enterotoxin B subunit (LTB) peptide in an unconjugated form, wherein the inducing agent is the cells of the recipient." (emphasis amended language). Support for the claim is found *inter alia* at page 18, lines 23-29, page 19, lines 7-8, page 20, lines 16-18 and Table 1, page 24, line 16. No new matter is added.

Applicants submit that the added limitations of "wherein the inducing agent is the cells of the donor" to independent claim 19, as amended, and "wherein the inducing agent is the cells of the recipient" to independent claim 20, as amended, render claims 19 and 20 patentable over Elson for the same reasons claim 1 was deemed patentable. Therefore, applicants respectfully request withdrawal of the rejection of claims 19-20 under 35 U.S.C. §103(a) over Elson.

**CONCLUSION**

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 273802002200. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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